



Our Reference: Licence No. 1095

SHOALHAVEN COAL PTY LTD
PO BOX 72
GLADESVILLE NSW 1675

28-Feb-2017

LICENCE 1095 - ANNIVERSARY NOTICE

I refer to Environment Protection Licence No. 1095, issued to SHOALHAVEN COAL PTY LTD by the Environment Protection Authority (EPA), under the *Protection of the Environment Operations Act 1997* (the POEO Act).

This letter is to remind you of the annual licensing obligations, in particular the requirement to submit an Annual Return and annual licence fees.

Annual Return

Condition R1.5 of your licence requires that you complete and submit an Annual Return within 60 days of the end of each reporting period.

You can complete and submit your Annual Return online via eConnect EPA - the EPA's licensing portal at:
www.epa.nsw.gov.au/licensing/econnectepa.htm.

Your environment protection licence Annual Return is due to the EPA by:

28-Apr-2017

If you do not submit the Annual Return by the due date you may receive a fine of up to \$3000.

If you are unable to submit your Annual Return online, you must complete the attached Annual Return and send it to the EPA by Registered Post to the following address:

Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

Licence Fees

Once your Annual Return is received by the EPA, the information provided will inform the EPA's determination of your environmental management category which the EPA will use to calculate the annual licence administrative fee. Once the EPA has determined your annual fee a Tax Invoice/Statement will be sent to you.

If the licensed activities are subject to Load-Based Licensing (LBL), payment of a load-based fee may also be required. The EPA will calculate the load based fee using the data you provide in the Annual Return. If the payment of a load based fee is required a separate Tax Invoice/Statement will be sent to you.

The licence fees will need to be paid to the EPA by **27-Jun-2017**.

For information on risk-based licensing please refer to the EPA's website at:
www.epa.nsw.gov.au/licensing/licencereg.htm.

As of 1 July 2016 the EPA will not consider environmental improvement works in the calculation of the environmental management category. For further information regarding this change please refer to www.epa.nsw.gov.au/licensing/EMCP.htm.

The EPA is committed to assisting the licensed community to meet its obligations under the POEO Act. Please refer to: www.epa.nsw.gov.au/licensing for guidance on completing annual returns. If you have any questions relating to the submission of the Annual Return or payment of the licence fee, please contact the EPA on 02 9995 5700.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Christopher Kelly', is written over a light blue horizontal line.

CHRISTOPHER KELLY
Head Regulatory and Compliance Support Unit
Environment Protection Authority

Annual Return

SHOALHAVEN COAL PTY LTD



ANNUAL RETURN

LICENCE NO	1095
LICENCE HOLDER	SHOALHAVEN COAL PTY LTD
REPORTING PERIOD	28-Feb-2016 to 27-Feb-2017

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates above and specify the new dates to which this Annual Return relates below:

REVISED REPORTING PERIOD ____ / ____ / ____ to ____ / ____ / ____

(Note: the revised reporting period also needs to be entered in Section H)

THIS ANNUAL RETURN MUST BE RECEIVED BY THE EPA BEFORE 29-Apr-2017

Your Annual Return must be completed, including certification in Section H, and submitted to the EPA no later than 60 Days after the end of the reporting period for your licence.

Failure to submit this Annual Return within 60 days after the reporting period ends may result in:

- the issue of a Penalty Notice for \$1500 (individuals) or \$3000 (corporations);
- OR**
- prosecution.

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232**

It is an offence to supply any information in this form to the EPA that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect.

THERE IS A MAXIMUM PENALTY OF \$250,000 FOR A CORPORATION OR \$120,000 FOR AN INDIVIDUAL.

Details provided in this Annual Return will be available on the EPA's Public Register in accordance with section 308 of the *Protection of the Environment Operations Act 1997*.

Annual Return

SHOALHAVEN COAL PTY LTD



Use the checklist below to ensure that you have completed your Annual Return correctly.

(✓ the boxes)

CHECKLIST		
<input type="checkbox"/>	Section A:	All licence details are correct
<input type="checkbox"/>	Section B1:	You have entered the correct number in the complaints table
<input type="checkbox"/>	Section B2 – B3:	If there are tables, you have provided the required details
<input type="checkbox"/>	Section C:	You have answered question 1, and 2 if applicable
<input type="checkbox"/>	Section D:	If applicable, you have completed all load calculation worksheets
<input type="checkbox"/>	Section E:	You have answered question 1, 2, 3, 4, 5 and 6 if applicable
<input type="checkbox"/>	Section F:	You have answered question 1, 2 and 3 if applicable
<input type="checkbox"/>	Section G:	You have answered question 1 and question 2, 3 and 4 or question 5 through to 11 if applicable
<input type="checkbox"/>	Section H:	The Annual Return has been signed by appropriate person(s) and, if applicable, the revised reporting period entered
<input type="checkbox"/>	Make a copy of the completed Annual Return and keep it with your licence records	

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232**

A Statement of Compliance - Licence Details

ALL licence holders must check that the licence details in Section A are correct

If there are changes to any of these details you must advise the EPA and apply as soon as possible for a variation to your licence or for a licence transfer.

Licence variation and transfer application forms are available on the EPA website at: <http://www.epa.nsw.gov.au/licensing>, or from regional offices of the EPA, or by contacting us on telephone 02 9995 5700.

If you are applying to vary or transfer your licence you must still complete this Annual Return.

A1 Licence Holder

Licence Number	1095
Licence Holder	SHOALHAVEN COAL PTY LTD
Trading Name (if applicable)	CASTLEREAGH COAL
ABN	91 070 863 893
ACN	070 863 893

A2 Premises to which Licence Applies (if applicable)

Common Name (if any)	THE INVINCIBLE COLLIERY
Premises	CASTLEREAGH HIGHWAY CULLEN BULLEN NSW 2790

A3 Activities to which Licence Applies

Mining for coal
Coal works

A4 Other Activities (if applicable)

A5 Fee-Based Activity Classifications

Note that the fee based activity classification is used to calculate the administrative fee.

Fee-based activity	Activity scale	Unit of measure
Mining for coal	> 500,000.00 - 2,000,000.00	T annual production capacity
Coal works	> 0.00 - 2,000,000.00	T annual handling capacity

A6 Assessable Pollutants (Not Applicable)

B Monitoring and Complaints Summary

B1 Number of Pollution Complaints

Number of complaints recorded by the licensee during the reporting period. If no complaints were received enter nil in the attached box, otherwise complete the table below.		
Pollution Complaint Category	Number of Complaints	
Air		
Water		
Noise		
Waste		
Other		

B2 Concentration Monitoring Summary

For each monitoring point identified in your licence complete all the details for each pollutant listed in the tables provided below.

If concentration monitoring is **not** required by your licence, **no tables** will appear below.

Note that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

Discharge & Monitoring Point 2

Wet weather discharge

Discharge quality monitoring, Overflow point located at water storage dam below washery and labelled as Discharge Point #2 on plan titled 'Invincible Open Cut Environmental Monitoring Sites' dated 29 June 2001

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Oil and Grease	milligrams per litre					

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SHOALHAVEN COAL PTY LTD



pH	pH					
Total suspended solids	milligrams per litre					

Monitoring Point 3

Dust monitoring, Point number 1 of dust monitoring network illustrated on figure faxed to EPA on 20/11/06 (DOC06/55613)

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Particulate matter	micrograms per cubic metre					
Particulates - Deposited Matter	grams per square metre per month					
PM10	micrograms per cubic metre					

Monitoring Point 4

Dust monitoring, Point number 2 of dust monitoring network illustrated on figure faxed to EPA on 20/11/06

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Particulates - Deposited Matter	grams per square metre per month					

Monitoring Point 5

Dust monitoring, Point number 3 of dust monitoring network illustrated on figure faxed to EPA on 20/11/06

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Particulates - Deposited Matter	grams per square metre per month					

Monitoring Point 6

Dust monitoring, Point number 4 of dust monitoring network illustrated on figure faxed to EPA on 20/11/06

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Particulates - Deposited Matter	grams per square metre per month					

Monitoring Point 7

Dust monitoring, Point number 5 of dust monitoring network illustrated on figure faxed to EPA on 20/11/06

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Particulates - Deposited Matter	grams per square metre per month					

B3 Volume or Mass Monitoring Summary

For each monitoring point identified in your licence complete the details of the volume or mass monitoring indicated in the tables provided below.

If volume or mass monitoring is not required by your licence, **no tables** will appear below.

Note that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

C Statement of Compliance - Licence Conditions

C1 Compliance with Licence Conditions

(☒ the boxes)

-
- 1 Were all conditions of the licence complied with (including monitoring and reporting requirements)? ☐ Yes ☐ No
- (✓ a box)
-

- 2 If you answered 'No' to question 1, please supply the following details for each non-compliance in the format, or similar format, provided on the following page.

Please use a separate page for each licence condition that has not been complied with.

- a) What was the specific licence condition that was not complied with?
 - b) What were the particulars of the non-compliance?
 - c) What were the date(s) when the non-compliance occurred, if applicable?
 - d) If relevant, what was the precise location where the non-compliance occurred?
- Attach a map or diagram to the Statement to show the precise location.
- e) What were the registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance?
 - f) What was the cause of the non-compliance?
 - g) What action has been, or will be, taken to mitigate any adverse effects of the non-compliance?
 - h) What action has been, or will be, taken to prevent a recurrence of the non-compliance?

-
3. How many pages have you attached?

Each attached page must be initialled by the person(s) who signs Section G of this Annual Return

C2 Details of Non-Compliance with Licence

Licence condition number not complied with
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
If required, further details on particulars of non-compliance
Date(s) when the non-compliance occurred, if applicable
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
Action taken or that will be taken to prevent a recurrence of the non-compliance

D Statement of Compliance - Load-Based Fee Calculation Worksheets

If you are not required to monitor assessable pollutants by your licence, no worksheets will appear below. Please go to Section E.

If assessable pollutants have been identified on your licence (see licence condition L2), complete the following worksheets for each assessable pollutant to determine your load-based fee for the licence fee period to which this Annual Return relates.

Loads of assessable pollutants must be calculated using any of the methods provided in the EPA's Load Calculation Protocol for the relevant activity. A Load Calculation Protocol would have been sent to you with your licence. If you require additional copies you can download the Protocol from the EPA's website or you can contact us on telephone 02 9995 5700.

You are required to keep all records used to calculate licence fees for four years after the licence fee was paid or became payable, whichever is the later date.

PENALTIES APPLY FOR SUPPLYING FALSE OR MISLEADING INFORMATION

D1 - D8 (Not Applicable)

E Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan (PIRMP) Under Section 153A of the POEO Act 1997

- 1 Have you prepared a PIRMP as required under s153A of the Protection of the Environment Operations Act 1997?

(✓ a box)

☐ Yes

☐ No

If you answered 'Yes' to question 1, please tick the appropriate box to indicate the following:

- 2 Is the PIRMP available at the premises?

(✓ a box)

☐ Yes

☐ No

- 3 Is the PIRMP available in a prominent position on a publicly accessible web site?

(✓ a box)

☐ Yes

☐ No

If the PIRMP is available on a publicly accessible web site please indicate clearly below the address of the web site where the PIRMP can be accessed:

Web site Address

- 4 Has the PIRMP been tested in the last 12 months?

(✓ a box)

☐ Yes

☐ No

If you answered 'Yes' to question 4 please indicate clearly below the date that the PIRMP was last tested:

The PIRMP was last tested on

- 5 Has the PIRMP been updated?

(✓ a box)

☐ Yes

☐ No

If you answered 'Yes' to question 5 please indicate clearly below the date that the PIRMP was last updated:

The PIRMP was last updated on

- 6 How many times has the PIRMP been activated in this reporting period?

If the PIRMP has been activated, please indicate clearly below the date/s when the PIRMP was activated:

The PIRMP was activated on

The EPA's guidelines for preparation of pollution incident response management plans are available at

<http://www.epa.nsw.gov.au/legislation/20120227egpreppirmp.htm>

F Statement of Compliance - Requirement to Publish Pollution Monitoring Data Under Section 66(6) of the POEO Act 1997

1 Are there any conditions attached to your licence that require pollution monitoring to be undertaken?

(✓ a box)

☐ Yes

☐ No

If you answered 'Yes' to question 1, please tick the appropriate box to indicate the following:

2 Do you operate a web site?

(✓ a box)

☐ Yes

☐ No

3 Is the pollution monitoring data published on your web site in accordance with the EPA's written requirements for publishing pollution monitoring data?

(✓ a box)

☐ Yes

☐ No

If you publish pollution monitoring data on a web site please indicate clearly below the address of the web site where the pollution monitoring data can be accessed:

Web site address

The EPA's written requirements for publishing pollution monitoring data are available at

<http://www.epa.nsw.gov.au/legislation/20120263reqpubpmdata.htm>

Note - if you do not maintain a web site, you must provide a copy of any monitoring data that relates to pollution, to any person requests a copy of the data at no charge to the person requesting the data.

G Statement of Compliance - Environmental Management Systems and Practices

- 1 Do you have an environmental management system (EMS) certified to ISO 14001 or any other demonstrated equivalent system¹? (see note below on demonstrated equivalent)

(✓ a box)

☐ Yes

☐ No

If your answer to question 1 is 'No', please proceed to question 5. If your answer to question 1 is 'Yes', please proceed to question 2.

- 2 When was the last check of the EMS² completed (see note below on check of EMS)?

__	/	__	/	__	__
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- 3 Were there any non-conformances related to environmental issues identified in the last check of the EMS?

(✓ a box)

☐ Yes

☐ No

- 4 If there were non-conformances identified, were these non-conformances rectified?

(✓ a box)

☐ Yes

☐ No

If you answered 'No' to question 1, please answer questions 5 - 11. If you answered 'Yes' to question 1 please proceed to section H. Questions 5-11 relate to any documented environmental practices, procedures and systems in place. Refer to <http://www.epa.nsw.gov.au/licensing/EMCP.htm> for guidance on how to complete questions 5 to 11. If unsure of the answer, tick No.

- 5 Have you conducted an assessment of your activities and operations to identify the aspects that have a potential to cause environmental impacts and implemented operational controls to address these aspects?

(✓ a box)

☐ Yes

☐ No

- 6 Have you established and implemented an operational maintenance program, including preventative maintenance?

(✓ a box)

☐ Yes

☐ No

- 7 Do you keep records of regular inspections and maintenance of plant and equipment?

(✓ a box)

☐ Yes

☐ No

- 8 Do you conduct regular site audits to assess compliance with environmental legal requirements and assess conformance to the requirements of any documented environmental practices, procedures and systems in place?

(✓ a box)

☐ Yes

☐ No

- 9 Are the audits of documented environmental practices, procedures and systems undertaken by a third party?

(✓ a box)

☐ Yes

☐ No

- 10 Have you established and implemented an environmental improvement or management plan?

(✓ a box)

☐ Yes

☐ No

- 11 Do you train staff in environmental issues that may arise from your activities and operations and keep records of this

(✓ a box)

☐ Yes

☐ No

¹ Demonstrated equivalent refers to an environmental management system that the EPA considers is equivalent to the accountability, procedures, documentation and record keeping requirements of an ISO 14001 system. For further information go to:

<http://www.epa.nsw.gov.au/resources/licensing/150402-environmental-management-systems-guidelines.pdf>

² Undertaking a 'check of an EMS' refers to the ISO 14001 requirements that an organisation demonstrates conformity to the requirements of its EMS and to the standard, these checks require third-party certification that requirements have been met.

H Signature and Certification

This Annual Return may only be signed by a person(s) with legal authority to sign it as set out in the categories below. **Please tick (✓) the box** next to the category that describes how this Annual Return is being signed.

If you are uncertain about who is entitled to sign or which category to tick, please contact us on telephone 02 9995 5700.

If the licence holder is:	the Annual Return must be signed and certified by one of the following:
an individual	<input type="checkbox"/> the individual licence holder, or <input type="checkbox"/> a person acting on behalf of the individual licence holder in accordance with a power of attorney for the individual. A copy of the power of attorney must be submitted with the Annual Return.
a company	<input type="checkbox"/> by two directors, or <input type="checkbox"/> by a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary - by that director, or <input type="checkbox"/> by a person delegated to sign a copy of the Annual Return on the company's behalf in accordance with the Corporations Act 2001. Delegation of authority must be submitted with the Annual Return, or. <input type="checkbox"/> by affixing the common seal, in accordance with the Corporations Act 2001
a public authority other than a Council	<input type="checkbox"/> by the Chief Executive Officer of the public authority, or <input type="checkbox"/> by a person delegated to sign on the public authority's behalf in accordance with its legislation.
a local Council	<input type="checkbox"/> by the General Manager in accordance with s377 of the Local Government Act 1993 , or <input type="checkbox"/> by affixing the seal of the Council in a manner authorised under the Local Government Act 1993.

It is an offence to supply any information in this form that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect. There is a maximum penalty of \$250,000 for a corporation or \$120,000 for an individual.

I/We

- declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and
- certify that the information in the Statement of Compliance in sections A, C, D, E, F and G and any pages attached to Section C is correct and not false or misleading in a material respect.

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates below and specify the new dates to which this Annual Return relates below:

For the reporting period 28-Feb-2016 to 27-Feb-2017 or ____/____/____ **to** ____/____/____

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL(if signing under seal)

PLEASE ENSURE THAT ALL APPROPRIATE BOXES HAVE BEEN COMPLETED AND THAT THE CHECKLIST ON PAGE 2 OF THE ANNUAL RETURN HAS BEEN COMPLETED